

APPLICANT(S): PAISS, Omry  
SERIAL NO.: 10/026,678  
FILED: December 27, 2001  
Page 8

### REMARKS

The present response is intended to be fully responsive to all points of objection and/or rejection raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application is respectfully requested.

Applicants assert that the present invention is new, non-obvious and useful. Prompt consideration and allowance of the claims is respectfully requested.

### Status of Claims

Claims 1-20 are pending in the application. Claims 1-20 have been rejected. Claims 1, 6, 11, 14 and 17 have been amended.

Applicants respectfully assert that the amendments to the claims add no new matter.

### CLAIM REJECTIONS

#### 35 U.S.C. § 102 Rejections

In the Office Action, the Examiner rejected claims 1, 2, 11, 17 and 18 under 35 U.S.C. § 102(c), as being anticipated by Haimi-Cohen, US Patent No. 6,233,320 (the '320 patent). Applicant respectfully traverses this rejection in view of the remarks that follow.

The '320 patent teaches a cellular phone which can record a voice conversation of the cellular phone with the other side. The '320 patent further teaches that the recording module of the cellular phone may be also implemented in a base station. The recording of each side of the conversation is done by storing the voice packets of each side directly (Fig 4) in a memory.

As to independent claim 1, as amended, the '320 patent fail to teach or disclose all its elements and at least it fails to disclose "recording a conversation between a first wireless communication device to a second wireless communication device by alternating between a

APPLICANT(S): PAISS, Omry  
SERIAL NO.: 10/026,678  
FILED: December 27, 2001  
Page 9

first active link operably coupled to a first base station and the first wireless communication device and a second active link operably coupled to a second base station and the second wireless communication device, wherein recording the conversation includes recording data packets of voice and video". For a reference to anticipate a claim, the reference must teach all elements of the claim. Therefore, the '320 patent cannot anticipate independent claim 1, as amended.

As to independent claims 11 and 17, as amended, same arguments made above with respect to claim 1 are also applicable here.

Accordingly, Applicants respectfully assert that amended independent claims 1, 11 and 17 are allowable.

Dependent claims 2 and 18, depending from, directly or indirectly, claims 1 and 17 respectively, and therefore include all the limitations of those claims. Therefore, Applicant respectfully asserts that claims 2 and 18 are likewise allowable. Accordingly, Applicant respectfully requests that the Examiner withdraw the rejections to amended independent claims 1, 11 and 17 and to claims 2 and 18 dependent thereon.

#### 35 U.S.C. § 103 Rejections

In the Office Action, the Examiner rejected claims 3-8, 10, 12-16, 19 and 20 under 35 U.S.C. § 103(a), as being unpatentable over Haimi-Cohen (the '320 patent) in view of Barak et al (US Patent No. 6,792,093, the '093 patent).

Applicant respectfully traverses the rejection of claims 3-8, 10, 12-16, 19 and 20 under 35 U.S.C. § 103(a), as being unpatentable over Haimi-Cohen (the '320 patent) in view of Barak et al (US Patent No. 6,792,093, the '093 patent).

The combination of the '320 patent and the '093 patent does not teach or suggest all the limitations of claims 1, 11 and 17 (independent), nor does it teach or suggest all the limitations of dependent claims 3-8, 10, 12-16, 19 and 20 dependent thereon, respectively. The '320 patent has been discussed above. That discussion is applicable here. The '093 patent is also silent as to "recording a conversation between a first wireless communication device to a second wireless communication device by alternating between a first active link operably

APPLICANT(S): PAISSL, Omry  
SERIAL NO.: 10/026,678  
FILED: December 27, 2001  
Page 10

coupled to a first base station and the first wireless communication device and a second active link operably coupled to a second base station and the second wireless communication device, wherein recording the conversation includes recording data packets of voice and video" and therefore cannot cure the deficiencies of the '320 patent.

Additionally, as to claim 3, in column 6 lines 34-35 Barak (the '093 patent) discloses controlled access (password and user name) yet it fails to disclose a secured location (e.g. a specific location on the memory which is further protected by authentication and/or encryption).

Additionally, as to claim 6, as amended, The server of Barak (the '093 patent) can not be combined with the Base station of Haimi-Cohen (the '320 patent) because the combination will create two devices for recording the same conversation, based on the Examiner's assertion that Haimi-Cohen teaches a Base station for recording the conversation. Thus it is not obvious to the one skilled in the art to combine these references. The skilled artisan would have no motivation to combine and will use either Haimi-Cohen architecture or Barak architecture.

As to claim 7 in addition to the above arguments, the arguments raised with respect to claim 3 are applicable also here.

As to claim 14 in addition to the above arguments, the arguments raised with respect to claim 6 are applicable also here.

Accordingly, Applicant respectfully asserts that this rejection should be withdrawn.

In the Office Action, the Examiner rejected claim 9 under 35 U.S.C. § 103(a), as being unpatentable over Haimi-Cohen (the '320 patent) in view of Barak et al (the '093 patent) and further in view of Liu et al. (US Patent No. 6,434,139, the '139 patent).

Applicants respectfully traverse the rejection of claim 9 under 35 U.S.C. § 103(a), as being unpatentable over Haimi-Cohen (the '320 patent) in view of Barak et al (the '093 patent) and further in view of Liu et al. (US Patent No. 6,434,139, the '139 patent).

The combination of the '320 patent and the '093 patent does not teach or suggest all the limitations of claim 1 (independent), nor does it teach or suggest all the limitations of dependent claim 9 dependent thereon, respectively. The '320 patent and the '093 patent have

APPLICANT(S): PAISS, Omry  
SERIAL NO.: 10/026,678  
FILED: December 27, 2001  
Page 11

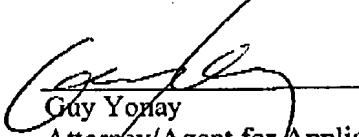
been discussed above. That discussion is applicable here. The '139 patent is also silent as to "recording a conversation between a first wireless communication device to a second wireless communication device by alternating between a first active link operably coupled to a first base station and the first wireless communication device and a second active link operably coupled to a second base station and the second wireless communication device, wherein recording the conversation includes recording data packets of voice and video" and therefore cannot cure the deficiencies of the '320 patent and the '093 patent. Accordingly, Applicant respectfully asserts that this rejection should be withdrawn.

In view of the foregoing amendments and remarks, the pending claims are deemed to be allowable. Their favorable reconsideration and allowance is respectfully requested.

Should the Examiner have any question or comment as to the form, content or entry of this Amendment, the Examiner is requested to contact the undersigned at the telephone number below. Similarly, if there are any further issues yet to be resolved to advance the prosecution of this application to issue, the Examiner is requested to telephone the undersigned counsel.

Please charge any fees associated with this paper to deposit account No. 50-3355.

Respectfully submitted,



Guy Yonay  
Attorney/Agent for Applicant(s)  
Registration No. 52,388

Dated: July 4, 2007

**Pearl Cohen Zedek Latzer, LLP**  
1500 Broadway, 12th Floor  
New York, New York 10036  
Tel: (646) 878-0800  
Fax: (646) 878-0801